

5,000 Subway Diggers Ready For a Strike

Contractors Refuse to Advance Wages and City Offers No Relief

Mayor Declines To See Employers

Opposes New Contracts and Insists Tubes Be Completed Under Burr Plan

Hope of avoiding a strike to-morrow of the 5,000 laborers on the unfinished subway of the dual system faded yesterday. The contractors announced they no longer could meet the advance in wages demanded by the men. They so notified the labor leaders, and Matthew A. McConville, chairman of the allied subway labor unions, declared the men would go on strike to-morrow morning unless the contractors "came across."

The crisis was reached after a fruitless attempt on the part of the contractors to see Mayor Hylan and urge immediate action by the Board of Estimate. The fifteen contractors, who have the twenty-eight unfinished contracts on the new lines, accompanied by their counsel, called at the Mayor's office. Mayor Hylan refused to see them. They had an earlier futile conference with Controller Craig.

Board May Seek Remedy
There was a report at the City Hall that several members of the Board of Estimate would endeavor to have a special meeting to-morrow to try and reach an agreement with the contractors.

The contractors and the Public Service Commission still insist the relief sought by the contractors should be afforded under the Lockwood law by amendment of the old contracts for the making of new agreements under which the city would advance the money to meet the increased wages and cost of materials.

Ex-Judge William L. Ransom, counsel for the Public Service Commission, announced that despite the action of the Board of Estimate he would proceed this week to complete and submit to the board the papers and data required for action under the Lockwood law.

Comments Burr Plan
In a long letter to Corporation Counsel Burr yesterday Mayor Hylan commended the plan he suggested and blamed the Public Service Commission for the present situation.

"I am informed there are claims by the contractors against the city of over \$7,000,000 caused by the delay and neglect of the Public Service Commission in not having their plans prepared at the proper time and for changes in plans and specifications after work had been started on the contracts," said the Mayor. "If such delay had not been caused by the commission, many of these contracts would now be completed and the lines now in operation."

Referring to Corporation Counsel Burr's plan, which entirely disregards the Lockwood law, which was signed by the Mayor, the letter said:

"Under your plan the existing contracts will not be cancelled, the sureties will not be released and the contractors will be bound to finish the contracts and the additional cost of labor and material will be taken care of by the city. While, on the other hand, if the Public Service Commission's plan is followed, the contracts would be cancelled, the sureties released from their obligation and the work to be finished on a cost basis; in other words, the contractors would be released from their obligation and then hired to do the work at cost."

Lifts All Obligation
"The contractor, who presumably would not make any profit on the finishing of the work, could quit work at any time and take up a more profitable contract from other sources, and not be under any obligation to the city and could not be penalized for failure to continue work. The whole work on the subway could then be held up indefinitely, as the contractors would be free to do as they like. Or if the contractors found a profitable way to do the work on a cost basis, which frequently occurs, the work could be prolonged because of no time limit to complete the contracts, and the additional cost of finishing the subway work may be indefinitely increased, thereby costing the people from twenty-five to fifty million dollars more than the plan suggested by you."

The Mayor declared any default or failure on the part of the contractors or the Public Service Commission to cooperate with the Board of Estimate in the plan suggested would place the blame on their shoulders. The Burr plan calls upon the contractors to release their claims for delays against the city, in return for which the city will advance the money sufficient to meet the increase in wages and most of materials.

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Mark Twain's "Spirit Novel" Is Branded Attempt to Deceive

The alleged spirit communication from Mark Twain, which was turned to commercial purposes by Mrs. Emily Grant Hutchings, of St. Louis, in the form of a short novel entitled "Jap Herron," was denounced in the Supreme Court yesterday as an attempt to deceive and mislead the public.

This allegation was made by Harper & Bros., who for seventeen years had the exclusive publishing rights of all the writings of Mark Twain. The publishers filed an action yesterday against Mitchell Kennerly, publisher of the "posthumous" Mark Twain work, and Mrs. Hutchings, in which they ask an injunction to restrain the further publication of "Jap Herron," an accounting of the proceeds from its sale and the destruction of all the copies now on the market.

Harper & Bros. say in their complaint that for several years before the death of Samuel L. Clemens the firm had the exclusive right to publish all his works under his nom de plume of Mark Twain and that they still have that right. For five years they carried on an advertising campaign and circulated more than 500,000 pictures of the author, whose features, say the publishers, are more widely and generally known than those of any other American not in public life.

In 1916, it is alleged, Mrs. Hutchings requested Harper & Bros. to publish a certain manuscript which she claimed was a spirit communication received by her from Mark Twain by means of the device known as the "ouija board." The manuscript was in the form of a short novel entitled "Jap Herron." According to the publishers, it was found to have no literary merit and they were of the opinion it was never written or conceived by Mark Twain. The plaintiffs forbade Mrs. Hutchings to use the work with the name and picture of Mr. Clemens. Nevertheless the book was published by Mitchell Kennerly in 230 pages, with a preface of forty-two pages, on page two of which is written, "after several messages more or less personal had been spelled out, the pointer of the ouija board traced the words, 'Samuel L. Clemens says: This latter line refers to the receipt of the spirit writing on the 'ouija board.'"

Harper & Bros. state that they are sure the work was not written or dictated by Mark Twain.

and the taxation policy of the Federal exchequer, is far from clear.

"I do not believe that exclusive authority to hold hearings as to rates and service on lines wholly within this city or this state has ever been vested in the Interstate Commerce Commission," said the Supreme Court of the United States would uphold such a delegation of power by Congress, if attempted and clearly expressed, which it has not been.

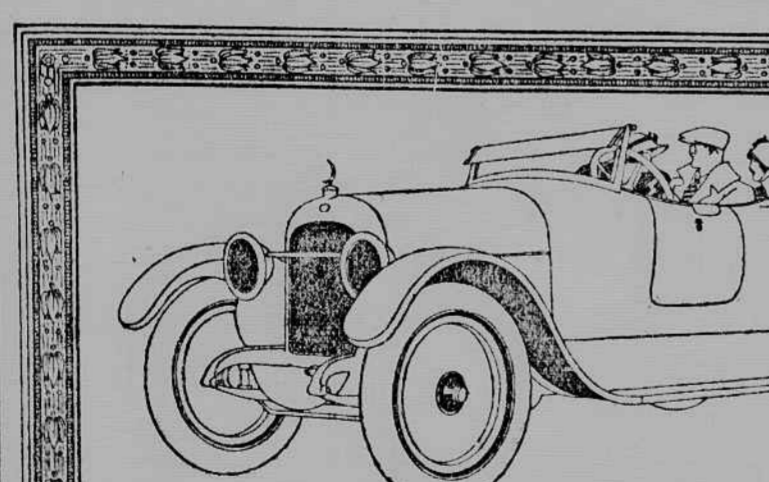
The new rate schedule was to have gone into effect to-morrow. The increase originally announced by Wilbur C. Fisk, president of the Hudson & Manhattan Railroad Company, amounted practically to 100 per cent.

In his order, Director McAdoo stated that an immediate investigation would be made to determine the need of the railroad company for an increased traffic rate. Pending the result of the investigation the existing schedule will remain in effect.

Questions McAdoo's Power
Legal questions as to the power of the National Railroad Administration through Director McAdoo to advance rates of fare upon railroads located wholly within the city or within the state, without submitting such proposed increases to the jurisdiction of the State Public Service Commissions, are raised by ex-Judge William L. Ransom, chief counsel for the Public Service Commission, for the 1st District, in an opinion rendered by him yesterday.

The summary of his opinion follows: "My view of the matter is that no action has been taken by the Congress or by the President which authorizes the Director General of Railroads to initiate rates for the ordinary course of interstate transportation, by any procedure other than that prescribed by the state laws, or which transfers to the Interstate Commerce Commission in Washington the sole jurisdiction to regulate intrastate rates, with power to disregard state laws, commission orders, franchise provisions, and the solemn agreements of the companies with franchise-granting or public contractual authorities.

"The right and power of the Director General of Railroads so to supervise the operation of the railroads and so to rehabilitate their properties, that they will most efficiently perform the great tasks of war-time transportation, is most clear. The right and power of the Director General, in respect of military necessities, to say to all passengers and shippers, even a single city, that hereafter rates and fares need not be reasonable and remunerative according to the familiar standards of existing statutes and judicial decisions, but that the basis of rate making shall be the revenue needs



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First War Statistics of Department of Commerce Show Rapid Growth

Includes New Ships

Giant Fleet, Second Only to Great Britain, Booms U. S. Interests

WASHINGTON, June 8.—The steady growth of the American merchant marine in all classes of vessels was revealed to-day for the first time since the war began in statistics from the Department of Commerce. They show that in the first five months of this year there have been built in this country and officially numbered by the Bureau of Navigation a total of 629 vessels of 687,055 gross tons.

The merchant fleet of the United States now amounts to approximately 10,000,000 gross tons, not including merchant craft under control of the army and navy as transports and supply ships. At the beginning of January 26,742 merchant vessels of 9,343,224 gross tons were flying the Stars and Stripes on trips across the Atlantic with food and munitions, into the Caribbean and Pacific with American products for foreign customers and on the lakes and rivers of this country as the nation's domestic transportation system.

Includes New Vessels
This tremendous fleet is second only to the merchant tonnage of Great Britain. It includes all new vessels built under the direction of the Shipping Board and thousands of other ships, smaller in tonnage but greater in carrying capacity, which play so large a part in commerce and the maintenance of a favorable balance of trade.

All merchant vessels are required by law to register with the Bureau of Navigation of the Department of Commerce and to receive an official identification number, before being permitted to fly the flag of the United States. The number is awarded when the finished ship is measured for gross tonnage capacity, which is the content of the ship in terms of 100 cubic feet and the internationally accepted method of expressing size.

The Shipping Board, building exclusively cargo ships, has adopted deadweight tonnage as the medium of computing new tonnage, deadweight capacity being the actual weight of cargo and bunkers which can be carried.

Indicates Fleet's Size
The deadweight tonnage of a cargo ship is about 50 per cent greater than its gross tonnage, but in a passenger vessel is less, because the space is occupied by passenger accommodation. The former German liner Vaterland, now the Leviathan, has a gross tonnage of 64,000, but a deadweight capacity of only about 5,000 tons, which illustrates why, in dealing with all types of ships, gross tonnage, or the actual size regardless of the space allotted to cargo, has been chosen internationally as more truly indicative of the size of a fleet.

There has been a steady increase in new ships this year, the May tonnage being three times as great as the January output. In the first month of 1918 there were fifty-seven ships of 64,759 tons given official numbers. In February eighty-four ships of 117,601 gross tons were numbered. March saw a notable jump in the production of small ships, numbers being awarded to 138, the tonnage being 147,145. The record in April was 165 ships of 163,650 tons, and in May 185 ships of 194,405 tons.

Five Branches of Government to Build Concrete Vessels

WASHINGTON, June 8.—Evidence that the government regards the concrete ship as having passed beyond the stage of experiment to become a practical and efficient aid in the country's transportation system was given to-day in a statement by the Shipping Board.

showing that not fewer than five different branches of the government, contemplate building concrete vessels.

Chairman Hurley soon will place contracts for twenty-four more concrete vessels, in addition to the eighteen already let, making a total tonnage of 298,500 ordered by the Shipping Board. Most of the new ships will be 7,500-ton tankers, and will be built in the five government yards announced several days ago.

The Inland Waterway Commission is asking bids on twenty-one concrete barges of 500 tons capacity, while the Navy Department has let contracts for twelve concrete barges of 600 tons each for harbor use, and the Quartermaster's department of the War Department has advertised for bids on twenty-two tugboats of reinforced concrete.

Shipbuilding Record Is Beaten by Fourteen Hours

ORANGE, Tex., June 8.—What is claimed to be the world's record in shipbuilding was eclipsed this morning at the National Shipyard here, when the work of erecting seventy-nine frames in one of the world's largest wooden assembly halls was accomplished in 30 hours and 35 minutes. This beats the world's record made on the Pacific Coast, where seventy-nine frames of similar size and type were erected in 44 hours, it is claimed here.

Will Sift Delay in Relatives' Allotments

(Special Dispatch to The Tribune)
WASHINGTON, June 8.—In response to complaints in Congress and a flood of criticism from dependents of soldiers who failed to receive promptly their allotments and allowances from the pay of their relatives in the service, a joint Army and Treasury Board has been organized to formulate a remedy for the prevailing conditions.

The board is now engaged in making a thorough investigation of the complaints received, and is studying the methods of procedure of the Bureau of War Risk Insurance and the financial division of the Quartermaster general's office, in order to correct the evils of which complaint is made.

Colonel H. C. Lord, of the Quartermaster general's department, is president of the board. Major S. H. Wolfe is the Treasury Department representative, and Herbert Brown, chief of the Bureau of Efficiency, is the third member.

Wilson Sees Republicans Win House Ball Game; Score 19 to 5

WASHINGTON, June 8.—President Wilson laid aside the cares of state to-day to see the Democrats and Republicans of the House of Representatives struggle through their annual baseball game, which went for six and one-half innings, and was staged for the benefit of the American Red Cross. For once there was no debate as to the winner. The official scorer said the minority representatives had nineteen runs to five for the majority party players, and nobody disputed him.

Besides the President, Vice-President Marshall, Speaker Clark and many high government officials were gathered at American League Park, and they appeared to find keen enjoyment in baseball as played by the selected representatives of the people. The players, too, enjoyed the maneuvers until the novelty of running the bases and chasing the ball was supplanted by weary muscles and shortening of breath. Officially, the game was called on account of darkness, though play ended long before the sun went into eclipse.

The Democrats did well at batting practice, but after stepping long enough to pose for the movies with Speaker Clark they were unable to solve the delivery of Representative Mudd, of Maryland, who performed in the box for the winners. They failed to put over a run in the first inning, but improved enough to score two in the second, with three added in their big inning, the sixth.

Representative Delaney, of New York, started out as a boxer for the Democrats, and was touched for three runs in the opening round, largely because of the failure of his co-workers to be where the ball was hit. His form did not improve in the second and third, so Representative McIntire, of Oklahoma, catcher and boss of the Democratic nine, inserted himself into the pitching position.

The Republicans went right along, riling up runs, and they settled the contest in the fifth. With the bases full Pitcher Mudd came to bat. Delaney went over from his position at third base to give McIntire some pointers on what to throw the Republican pitcher. Mudd responded by bouncing a hot one off Delaney's shins, clearing the bases.

The Republicans lay much of their success to the fact that they had selected Miss Jeannette Rankin, Representative from Montana, as their mascot.

The teams played as follows:
REPUBLICANS
Lusk (Massachusetts), 2b.
Fulmer (Illinois), ss.
Johnson (South Dakota), c.
Mudd (Maryland), p.
Snell (New York), cf.
Merin (Pennsylvania), 1b.
Waldo (New York), 3b.
Miller (Minnesota), and Farr (Pennsylvania), lf.
Denison (Illinois), rf.

DEMOCRATS
Sterling (Pennsylvania), 2b and c.
Card (Ohio), rf and lf.
Web (North Carolina), cf.
Rouse (Kentucky), 3b.
McIntire (Oklahoma), c and p.
Whaley (South Carolina), 2b.
Thayer (New York), c and p.
Bankhead (Alabama), rf.
Lunn (New York), rf.
Tietjen (Carolina), ss.
Kincheloe (Kentucky), lf.

Army Engineers Wanted

Two thousand engineers, above the draft age but in good physical condition and actively engaged at the present time in the practice of their profession, are wanted for the United States Army. They will receive commissions as first lieutenants or captains and will go on the payroll of the army the moment they are accepted by the examining board.

To facilitate the enrollment of the new officers, the War Department has arranged to send an examining board on a tour of thirty-three of the larger cities of the country. Application blanks will be sent ahead to the various engineering societies and clubs.

As soon as the board reaches a city the men who have signed the blanks will be summoned before it and if they pass their examination, will be forwarded at once to either Camp Lee, at

at Petersburg, Va., or to Camp Humphreys, near Washington, where they will be enrolled in an officers' training camp.

Candidates for first lieutenancies must be from thirty-two to thirty-six years old and for captaincies from thirty-six to forty-two years. All must be citizens of the United States.

\$106,000 Paid for a Calf
MILWAUKEE, June 6.—Champion Sylvia Johann, a six-months-old Holstein bull calf, sold for \$106,000 at the State Fair Park here yesterday. The previous record price was \$83,000, paid for the calf's mother, May Echo Sylvia, a year ago. The mother holds the world's record with 41.01 pounds of butter and 1,000.80 pounds of milk for a seven-day period. The seller was A. C. Hardy, Brockville, Ontario, and the buyer, E. A. Smart, of Oconomowoc, Wis.

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Little more than hand cannon, iron or copper tubes, they were leveled by a forked support, and fired at a touch hole.

With the invention of the wheel-lock *arquebus* in 1517, the first self-firing gun, the musket of the army of Charles V of Spain was a quick step, and the smooth bore musket remained the standard infantry arm till 1850, five years before the American army adopted the rifle.

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